

The Honorable Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

CLOANTO CORPORATION, AMIGA, INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Plaintiffs,

- against -

HYPERION ENTERTAINMENT CVBA,

Defendant.

HYPERION ENTERTAINMENT CVBA

Counterclaim Plaintiff,

- against -

CLOANTO CORPORATION, AMIGA, INC.,
ITEC, LLC and AMINO DEVELOPMENT
CORPORATION,

Counterclaim Defendants.

Civil Action No.: 2:18-cv-00381-RSM
(consolidated with 2:18-cv-00535)

**STIPULATED MOTION TO
CONTINUE TRIAL DATE AND
RELATED DATES BY SIX WEEKS
TO FACILITATE COMPLETION OF
SETTLEMENT DISCUSSIONS**

NOTE ON MOTION CALENDAR:
January 20, 2021

STIPULATION

Defendant/Counterclaim Plaintiff Hyperion Entertainment CVBA (“Defendant”), joined by Plaintiffs/Counter-Defendants Cloanto Corporation, Amiga, Inc., Amino Development Corporation, and Itec, LLC (“Plaintiffs”) without objection, (collectively, the “Parties”), pursuant to LCR 7(d)(1) and LCR 10(g), hereby moves the Court for an order extending, by six (6) weeks the dates in the Court’s Order of October 7, 2020 (Dkt. No. 96). Hyperion submits, and Plaintiffs accept, that there is good cause to modify the current case schedule, for the reasons set forth below.

The Parties resumed settlement discussions to resolve all of the matters between them in October 2020. On Thursday of last week, the Parties reached the terms of settlement on the main agreement. The only tasks that need to be completed are for the Parties to attend to seven ancillary documents, including an assignment and novation agreement, mutual releases, stipulations of dismissal, and documents related to a proceeding in Belgium. In addition, Hyperion requires additional time to confer on one point with counsel in Delaware regarding a security interest. The additional time requested will enable the Parties to focus exclusively on finalizing documents and following through with the settlement. Accordingly, Hyperion, without objection from Plaintiffs, respectfully requests that the Court extend the remaining deadlines as follows:

<u>Deadline/Event</u>	<u>Current</u>	<u>Proposed</u>
All dispositive motions must be filed by and Noted on the motion calendar no later than the THIRD Friday thereafter	02/05/2021	03/19/2021
Mediation per LCR 39.1(c)(3), if requested held no later than	03/17/2021	04/28/2021
All motions in limine must be filed by and noted on the motion calendar no later than the THIRD Friday thereafter	04/07/2021	05/19/2021
Agreed pretrial order due	04/22/2021	06/03/2021

Pretrial conference to be scheduled by
the Court

Trial brief, proposed voir dire questions, 04/29/2021 06/10/2021
jury instructions, neutral statement of the case,
and trial exhibits due

The Parties' joint request is not sought for purposes of delay. Rather, due to the
complexity of the issues for settlement, coupled by the COVID-19 crisis, the Parties believe that
a six week extension is necessary to afford them the opportunity to settle all issues.

Respectfully submitted this Thursday, January 21, 2021.

By /s/ Gordon E. R. Troy

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Pro Hac Vice

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By /s/ Eric J. Harrison

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Attorneys for Cloanto Corporation,
Amiga, Inc., Amino Development Corporation,
and Itec, LLC

ORDER

IT IS HEREBY ORDERED that the case deadlines are extended as follows:

Deadline/Event

Current

Revised

All dispositive motions must be filed by and
Noted on the motion calendar no later than
the THIRD Friday thereafter

02/05/2021 03/18/2021

Stipulated Motion to Continue Trial Date

Case No. 2:18-cv-00381

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1 Mediation per LCR 39.1(c)(3), if requested 03/17/2021 04/28/2021
held no later than

2 All motions in limine must be filed by and 04/07/2021 05/19/2021
3 noted on the motion calendar no later than
the THIRD Friday thereafter

4 Agreed pretrial order due 04/22/2021 06/02/2021

5 Pretrial conference to be scheduled by
6 the Court

7 Trial brief, proposed voir dire questions, 04/29/2021 06/09/2021
jury instructions, neutral statement of the case,
8 and trial exhibits due

9 **Trial date 05/03/2021 06/14/2021**

10 DATED this 21st day of January, 2021.
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14 RICARDO S. MARTINEZ
15 CHIEF UNITED STATES DISTRICT JUDGE
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CERTIFICATE OF SERVICE

I hereby certify that on the Thursday, January 21, 2021, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Gordon E. R. Troy, gtroy@webtm.com

By /s/ Eric J. Harrison
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